

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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IN RE: PHARMACEUTICAL INDUSTRY)	
AVERAGE WHOLESALE PRICE)	
LITIGATION)	MDL No. 1456
)	Civil Action No. 01-CV-12257-PBS
)	
-----	x	
)	Hon. Patti B. Saris
THIS DOCUMENT RELATES TO:)	
International Union of Operating Engineers,)	
Local No. 68 Welfare Fund v. AstraZeneca PLC)	
et al. Civil Action No. 04-11503-PBS)	
)	
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NOTICE OF PROPOSED ORDER
PURSUANT TO THE COURT'S JANUARY 27, 2006 RULINGS

AstraZeneca Pharmaceuticals LP respectfully submits the attached proposed order as directed by the Court on January 27, 2006. The Court issued an order on January 27, 2006 denying Dr. Hopkins' Amended Objections and ordering that his counsel's deposition proceed forthwith.

As directed by the Court, AstraZeneca's respectfully submits the attached proposed order to effectuate the other orders issued by the Court during the January 27, 2006 hearing. During that hearing, the Court granted AstraZeneca's Motion to Compel the Production of Documents by Plaintiff International Union of Operating Engineers, Local No. 68 Welfare Fund and denied Dr. Hopkins' Amended Objections to Magistrate Judge's Ruling on Dr. Hopkins' Motion to Quash AstraZeneca's First Request for Production of Documents and Notice of Subpoena Ad Testificandum and Duces Tecum for Dr. Hopkins Counsel. In doing so, the Court rejected Plaintiff's and Dr. Hopkins'

arguments that their communications were protected by a so-called “settlement privilege.” The Court further indicated that this discovery should be completed promptly, so that the parties can file simultaneous five-page submissions on February 10, 2006 to complete the briefing on Plaintiff’s Motion to Remand.

Respectfully Submitted,

By: /s/ Lucy Fowler

DATED: January 30, 2006

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was delivered to all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2, by sending on January 30, 2006, a copy to Verilaw Technologies for posting and notification to all parties.

/s/ Lucy Fowler

Lucy Fowler